Supreme Court, U.S.
FILED

No. 09-1370 MAR 13 2010

OFFICE OF THE CLERK

In The

# Supreme Court of the United States

BRIAN MARK BURMASTER,

*Petitioner,*

v.

UNITED STATES OF AMERICA,
AMERICAN PSYCHIATRIC ASSOCIATION,
ABBOTT LABORATORIES, ASTRA-ZENECA
AND ELI LILLY AND COMPANY,

*Respondents.*

**On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit**

## PETITION FOR A WRIT OF CERTIORARI

BRIAN MARK BURMASTER – Pro Se
Chemical Engineer In Exile
1011 Beach Avenue
Unit # 1202
Vancouver, BC CANADA V6E1T8
604-347-7035
Brianburmaster@yahoo.com

RECEIVED
MAY 11 2010
OFFICE OF THE CLERK
SUPREME COURT, U.S.

## QUESTION PRESENTED

The primary federal question, which has never been asked nor answered in American Judicial History is this:

> "In chemical management and dispensing, whose standards, protocols and methodologies shall prevail?
>
> The American Institute of Chemical Engineers
>
> ***OR***
>
> The American Psychiatric Association".

## PARTIES TO THE PROCEEDING

Petitioner Brian Mark Burmaster and the Respondents, The United States of America, the American Psychiatric Association, Abbott Laboratories, Astra-Zeneca and Eli Lilly and Company are the only parties to the current proceeding below.

Upon granting the motion for a peaceful civil lawsuit and by observing the United States Constitution, the Petitioner Brian Mark Burmaster plans to sue other multi-national pharmaceutical firms into financial extinction for chemical fraud in future civil lawsuits.

TABLE OF CONTENTS


| | Page |
|---|---|
| QUESTION PRESENTED | i |
| PARTIES TO THE PROCEEDING | ii |
| TABLE OF AUTHORITIES | vi |
| OPINIONS BELOW | 1 |
| JURISDICTION | 1 |
| STATUTORY PROVISION IS THE US CONSTITUTION | 1 |
| STATEMENT OF THE CASE | 2 |
| REASONS FOR GRANTING THE WRIT | 5 |
| A. This May Be a Completely New Concept for Highly Paid and Life-Tenured US Federal Judges Who Could Not Pass One Semester of Engineering but Let's Follow the US Constitution | 5 |
| B. With the Decision by the Court of Appeals, the Rule of Law Has Been Suspended in the USA Which in Effect Has Legalized the Following Criminal Activities, Including Kidnapping, Extortion, Larceny, Assault, Fraud and the Very Horrific Judicial Concept of a "Chemical Free for All" | 6 |
| CONCLUSION | 9 |

TABLE OF CONTENTS – Continued

Page

APPENDIX

Appendix A, 9th Circuit Appellate Court Opinion ..... App. 1

Appendix B, Western Washington Court Opinion ..... App. 2

Appendix C, Valuable Intellectual Property ..... App. 6

Appendix D, Pre-Trial Motion – Treble Damages ..... App. 8

Appendix E, Pre-Trial Motion – Reinstatement of Civil Rights per US Constitution ..... App. 11

Appendix F, Pre-Trial Motion – Restoration of Visitation Rights of Youngest Son ..... App. 14

Appendix G, Pre-Trial Motion – Exclusion of Mormons from Jury ..... App. 17

Appendix H, Pre-Trial Motion – Financial Award Basis ..... App. 20

Appendix I, Pre-Trial Motion – Limitation on Psychiatric Testimony ..... App. 23

Appendix J, Pre-Trial Motion – Allowing Chemical Engineers to Testify ..... App. 26

Appendix K, Pre-Trial Motion – Immediate Arrest of Enemies of USA ..... App. 29

Appendix L, Pre-Trial Motion – Federal Instructions to Tax Authorities ..... App. 37

Appendix M, Pre-Trial Motion – Correct Libelous Information by BOP ..... App. 39

TABLE OF CONTENTS – Continued

Page

Appendix N, Pre-Trial Motion – Public Education on Chemical Safety ..... App. 41

Appendix O, Letters to the United States Social Security Administration ..... App. 44

Appendix P, Letter to Catherine Hannaway and St. Louis Mafia on Epiphany of Our Lord Day ..... App. 50

# TABLE OF AUTHORITIES

Page

## CASES

*Daubert v. Merrell Dow Pharmaceuticals*, 509 US 579 (1993) ..... 4

*US v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) ..... 7

## STATUTES

18 USC § 4241 through 4247 ..... 2

28 USC § 1254(1) ..... 1

## THE US CONSTITUTION

First Amendment ..... 2, 5

Fifth Amendment ..... 6

Sixth Amendment ..... 6

Eighth Amendment ..... 6

## PETITION FOR A WRIT OF CERTIORARI

Brian Mark Burmaster respectfully petitions for a writ of certiorari before the Supreme Court of the United States to grant a peaceful civil lawsuit in accordance with the provisions of the US Constitution.

## OPINIONS BELOW

The opinion of the Court of Appeals in the Ninth Circuit is not reported, but is given in the Appendix in its entirety. Similarly, the opinion for the lower US Federal Court of Western Washington State is not reported, but is given in the Appendix in its entirety.

## JURISDICTION

The Court of Appeals entered its judgment on March 10, 2010. App., infra, at 1. This petition is filed within 90 days of that date. The Court's jurisdiction is invoked under 28 USC § 1254(1).

## STATUTORY PROVISION IS THE US CONSTITUTION

The United States Constitution is very clear on its intent.

The First Amendment of that magnanimous document states precisely and accurately:

> "or the right of the people to assemble and petition the Government for a redress of grievances."

As an American citizen, I am entitled to a peaceful civil lawsuit to redress grievances against the United States Government for my nearly two year illegal incarceration, where there was no jury trial.

All Congressional statutes and "laws", such as Title 18 USC § 4241 through 18 USC § 4247 are subordinate to the United States Constitution. These referenced statutes are in reality forms of very profitable fraudulent pharmaceutical-medical extortion, denying fundamental and basic human civil rights, such as jury by trial, resulting in illegal imprisonments, especially of chemical engineers who vigorously oppose psychiatric injustice.

## STATEMENT OF THE CASE

This petition for a Writ of Certiorari is the final attempt to grant a peaceful civil lawsuit in accordance with the US Constitution before the Supreme Court of the United States of America.

With the current United States Federal Judicial rulings (two lower US Federal courts and two appellate courts), chemical engineers are not allowed to testify in US Federal Courts. Extending this

American judicial logic further and recognizing the unique legal precedent as set forth by *US v. Burmaster* (Utah Federal Case = 2:07-cr-00628-DB), then following the standards, methodologies and protocols as mandated by the American Institute of Chemical Engineers, which obligates our profession to identify, contain and eliminate all sources of toxic chemicals is an American criminal activity, punishable by incarcerated detentions of nearly two years, without a jury trial.

This peaceful civil lawsuit is an attempt to rectify this irrational and unjust predicament, by suing into financial extinction the monetary beneficiaries of this chemical fraud, namely the American psychiatric professionals and the highly profitable multi-national pharmaceutical corporations.

The facts of the "criminal" case against Brian M. Burmaster (see *US v. Brian Mark Burmaster*) and the motions before the 10th Circuit Court of Appeals (Case #09-4098) are not in dispute. I attempted to find the source of toxic heavy metals which entered me unknowingly (see Appendix P) and contaminated the blood supply of the American Red Cross.

Both chemical engineering and the pharmaceutical-psychiatric approach to the disease named "mental illness" agree that it is a chemical malady with a chemical solution. My adult "mental illness" (or in chemical engineering non-incendiary vernacular – an amine chemistry problem) was most probably a direct result of an accidental industrial exposure to the

heavy metal Cadmium, while working on a developmental process cited in US Patent 5,851,265 at a zinc smelter. It took many years, but using chemical engineering methodology, I was able to "cure" my own amine chemistry problem. The two approaches and solutions (chemical engineering vs. psychiatric-pharmaceutical) are diametrically opposed. The chemical engineering approach is in complete accordance and agreement with the highly scientific and technical standards, set forth by the US Supreme Court decision, *Daubert v. Merrell Dow Pharmaceuticals,* 509 US 579 (1993). American psychiatry is in total defiance. If interested, the reader is referenced to my original filing in the Western Washington US Federal Case (Document#1 in case C09-1384-JCC).

The United States Supreme Court must ultimately decide which prevails in America: engineering or psychiatry. Presently, the entire profession of chemical engineering has been denied fundamental civil rights, such as trial by jury and freedom of speech in the United States of America. We cannot testify in US Federal Courts that American psychiatry is a fraudulent yet extremely profitable approach to an amine (such as the main neuro-chemical transmitters which are serotonin and dopamine) chemistry problem.

## REASONS FOR GRANTING THE PETITION

In American Judicial History, there has never been a judicial case of this importance and uniqueness. By denying this Writ of Certiorari, the noble profession of chemical engineering is a criminal activity in the United States of America, punishable by nearly two years of incarceration without fundamental human rights such as trial by jury.

### A. This May Be a Completely New Concept for Highly Paid and Life-Tenured US Federal Judges Who Could Not Pass One Semester of Engineering but Let's Follow the US Constitution.

In all my US Federal Court proceedings which include both my "criminal" and this peaceful civil federal lawsuit (involving two federal magistrates, several Federal Judges and two appellate courts), there has never been any citation of the United States Constitution.

The United States Constitution is very clear on its intent of protecting the American citizen from governmental tyranny and oppression. This document should be required reading for US Federal Judges.

> *1st Amendment*
>
> Freedom of speech . . . redress of grievances (in my criminal trial, I along with other chemical engineers could not testify and still do not have that fundamental right)

*5th Amendment*

nor be deprived of life, liberty or property (in my criminal trial, I was incarcerated for nearly two years without any access to my financial assets)

*6th Amendment*

Right to a speedy and public trial by an impartial jury (there was no trial in the US – only incarceration) and assistance of counsel (since Utah is heavily Republican, there were no lawyers there that would file my motions)

*8th Amendment*

Excessive bail shall not be required (I was imprisoned for nearly two years in Utah without any bail)

**B. With the Decision by the Court of Appeals, the Rule of Law Has Been Suspended in the USA Which in Effect Has Legalized the Following Criminal Activities, Including Kidnapping, Extortion, Larceny, Assault, Fraud and the Very Horrific Judicial Concept of a "Chemical Free for All".**

Per my writing to the 9th Circuit Court of Appeals in this peaceful civil lawsuit (#09-36145), that is recorded in Document 6:

"The injuries to the appellant are so substantial that a dismissal of this appeal would effectively

dispose any Rule of Law that has governed human civilization since antiquity."

This pro-se civil lawsuit is a Landmark case for the Supreme Court of the United States, which has jurisdiction in this matter with the dismissal by the 9th Circuit Court of Appeals in San Francisco, California, stating that it was "so insubstantial" that there was no need for further argument. That Court of Appeals curiously referenced the criminal case of *US v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam), where Hooton was never denied a jury trial and Hooton was never illegally detained. The citation is almost as irrelevant as the reference to the literary non-fiction work *Anne Frank – The Diary of a Young Girl*, by Western Washington US Federal Judge John Coughenour.

This peaceful civil lawsuit is a direct result of my illegal incarceration in the United States of America for nearly two years. It is a sacred vow that I made to sue these malefactors into financial extinction. The documentation supporting my vow can be found in the original brief to the 10th Circuit Court of Appeals during my illegal incarceration (for example, Case#09-36145 pages 2 and 3).

The injuries to the plaintiff are extremely substantial and with dismissal of this peaceful civil lawsuit, the US Supreme Court has legalized the following crimes:

1. Kidnapping – My illegal incarceration for nearly two years and complete deprivation of any human civil rights.

2. Assault – Loss of three teeth while I was illegally imprisoned, where I shared cells with America's most violent and unemployed criminals, due to non-competitive US manufacturing and engineering. My dental bills are in excess of Cdn$12,000.

3. Larceny – Monetary income loss as a chemical engineer, attorney fees and relocation fees to find a new job in Canada.

4. Theft – Valuable Intellectual Property (see Appendix B)

5. Chemical "Free For All" Approach – See for example Case #09-36145 Dkt Entry 7203366 page 11 of 13 – This is truly horrific when one considers the industrial quantities that chemical engineers routinely use.

6. Fraud – I have been a continual victim of this medical, pharmaceutical and chemical fraud in the United States (see Case #09-36145 Dkt Entry 7203366 page 5 of 13).

7. Extortion – Denial of basic human rights by pharmaceutical mandates imposed by US Department of Justice psychiatrists (see Case#2:09-cv01384-JCC Response B pages C-25 and C-26)

The United States Supreme Court must ultimately decide which value system prevails and the future direction of their country, which leads the planet in health care costs, violence, crime, incarceration rates, and illicit drug usage. No other nation even comes close.

I am extremely grateful for the free, great and civilized country of Canada, where I reside and work. I am neither under psychiatric "care" nor taking any pharmaceutical "medicine" for my past amine chemistry problem. Currently, I have a two year contract and hope to become a Canadian citizen, where chemical engineering is not a federal criminal activity.

## CONCLUSION

As an engineer, we measure things and hold people responsible and accountable. By granting this Writ of Certiorari, the United States Supreme Court takes a heroic stance against the forces of evil and destruction – American Psychiatry.

Respectfully submitted,

Brian Mark Burmaster – Pro Se
Chemical Engineer In Exile
1011 Beach Avenue
Unit # 1202
Vancouver, BC CANADA V6E1T8
604-347-7035
Brianburmaster@yahoo.com

**APPENDIX A**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

| | |
|---|---|
| BRIAN MARK BURMASTER,<br>Plaintiff-Appellant,<br>v.<br>UNITED STATES OF AMERICA; et al.,<br>Defendants-Appellees. | No. 09-36145<br>D.C. No. 2:09-cv-01384-JCC<br>Western District of Washington, Seattle<br>ORDER<br>(Filed Mar. 10, 2010) |

Before: SCHROEDER, PREGERSON and LEAVY, Circuit Judges.

A review of the record, the response to the January 25, 2010 order to show cause and the opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

**AFFIRMED.**

## APPENDIX B

Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT**
**WESTERN DISTRICT OF WASHINGTON**
**AT SEATTLE**

| | |
|---|---|
| BRIAN MARK BURMASTER,<br>Plaintiff,<br>v.<br>UNITED STATES OF AMERICA, AMERICAN PSYCHIATRIC ASS'N, ABBOTT LABORATORIES, ASTRAZENECA, and ELI LILLY<br>Defendants. | C09-1384-JCC<br>**ORDER** |

This matter comes before the Court on Plaintiff's response to the Court's order to show cause (Dkt. No. 15). For the reasons explained below, the Court hereby DISMISSES this matter without prejudice.

### I. BACKGROUND

Plaintiff filed a complaint with this Court on September 30, 2009, alleging that the protocols and methodologies of the American Institute of Chemical

Engineers should prevail over those of the American Psychiatric Association in the design and management of synthetic drugs. Plaintiff sought damages in the amount of $500 billion under 42 U.S.C. § 1983. Shortly after filing the complaint, Plaintiff filed nine motions in limine. Among other things, Plaintiff asked the Court to remove federal district judges from the District of Utah and to exclude members of the Church of Jesus Christ of Latter-day Saints from serving on the jury in case of trial, or from attending trial as members of the general public (*See* Dkt. Nos. 6 & 11). As Plaintiff states "The sight of Mormons in their black mortician suits and bicycles makes the plaintiff physically ill."

The Court issued an order to show cause on November 13, 2009. (Dkt. No. 12). The Court identified two possible defects with Plaintiff's complaint: failure to state a claim on which relief can be granted and lack of subject-matter jurisdiction. The Court notified Plaintiff that the Civil Rights Act, codified at 42 U.S.C. § 1983, generally precludes relief against private parties like the American Psychiatric Association, Astrazeneca and Eli Lilly. The court also instructed Plaintiff to identify the specific federal statutory or constitutional right he alleges the United States to have violated when it established protocols for chemical-drug management using the methodology of psychiatry rather than the methodology of chemical engineering. The Court ordered Plaintiff to address those potential defects no later than Friday, December 11, 2009.

## II. DISCUSSION & CONCLUSION

Plaintiff has since responded.[1] (Dkt. No. 16). His voluminous filing includes entire chapters of the American [sic] Disabilities Act, a notice of delinquent tax obligations Defendant received from the Internal Revenue Service in October 2009, and correspondence between Defendant and the Office of the Social Security Commissioner. (*See* Exhibits (Dkt. No. 16)).

Plaintiff nowhere addresses the defects the Court identified in its order to show cause. The Court therefore finds that Plaintiff has failed to state a claim on which relief can be granted, and DISMISSES this matter without prejudice.

---

[1] The Court has also received a letter from David Reynolds (Dkt. No. 15), apparently an acquaintance of Plaintiff's (*See* Pl. Resp. 1 (Dkt. No. 16) "I noted that a letter by Mr. David Reynolds, located in [Federal Medical Center] Butner has been included in my docket[.]")).

Like Plaintiff's response, Mr. Reynold's letter fails to address the problems identified by this Court. It merely offers incoherent accusations with respect to federal judicial officers and other officials. (*See, e.g.*, Dkt. No. 15 at 4 ("[September 11] is the fall of the FBI mob's longer black Lincoln sedans, who control the world's cocaine."); *id.* at 8 ("Little females often become suicidal when they lose their bedrooms, when the U.S. economy, like the Nazi-oppressed Amsterdam economy begins to fail and the people begin starving, so vividly described by *Anne Frank: The Diary of a Young Girl*." [sic])).

SO ORDERED this 18th day of December, 2009.

/s/ John C. Coughenour
JOHN C. COUGHENOUR
United States District Judge

## APPENDIX C

## THEFT OF VALUABLE INTELLECTUAL PROPERTY

The US Constitution is very clear on the intent of the following statement:

> "to promote the progress of science and the useful arts by securing for a limited time to authors and inventors the exclusive right to their respective writing and discovery."

The true inventor cannot be terminated ("Fired at Will") and the undeveloped intellectual property cannot be stolen, according to the principles of the Founding Fathers, which included the worldly acclaimed scientists such as Thomas Jefferson and Benjamin Franklin. They are watching in absolute horror to witness what has happened to their Great Land.

In my "criminal" case, I was illegally terminated from Mormon-controlled Nevada Chemicals, since they openly detest Roman Catholics. I believe that lying, stealing, poisoning and cheating are all acts of Satan. I was illegally terminated in defiance of Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin.

Intellectual Property attorneys in Utah conveniently overlooked this legal fact, believing that Utah state law is supreme over any Federal law or even the US Constitution.

I was persecuted as a Roman Catholic in Utah for nearly two years, being illegally incarcerated without a jury trial.

**United States Patent Application**
**Provisional**

**Burmaster, Brian**

| | | |
|---|---|---|
| Submittal Date | : | September 27, 2007 |
| Title | : | Black Body Radiation Heat Absorber |
| Inventor | : | Brian Burmaster |
| Assignee | : | |
| Correspondence | : | |
| **US Patent Citations** | : | |
| **Abstract** | : | |

This patent describes a novel "space age" rigid black body ceramic foam, specifically engineered to absorb radiant heat in an aggressively hot and moist environment. These extremely hard "black body" devices are easily accommodated for wide open fluid flow, leading to pleasurable results. In the Prior Art's preferred embodiment, other patents described "white body" ceramic foams, in the form of silica which absorb a puny portion of the radiant energy available. Ultimately these "white bodies" crumble under the intense wet heat, causing premature failure and undesirable results, including breakdown.

## APPENDIX D
## PRE-TRIAL MOTION
## TREBLE DAMAGES

per

US Supreme Court Case – Rotella vs. Wood

This US Supreme Court decision is the most relevant prior to Burmaster vs US et. al. However, the case missed the point that chemical causation must be established in accordance with the US Supreme Court decision Daubert vs. Merrell Dow Pharmaceutical, which the chemical engineering approach is in total compliance with this ruling. Currently, American Psychiatry is completely defiant.

This motion, in its entirety appears originally in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), and was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

The plaintiff (Brian Mark Burmaster) cites that the most relevant legal case, prior to Burmaster vs. US et al in challenging the legitimacy of American Psychiatry and its highly unusual and non-scientific approach to amine chemical problem-solving is the United States Supreme Court case, Rotella vs. Wood (#98-896) 528 US 549 (2000), 147 F3d 438 where Mark Wood, the plaintiff correctly asserted that fraud was committed. Rotella's reference to the US Federal Racketeering and Corrupt Organization (RICO) statutes, specifically 18 USC § 1962c is especially

relevant to the case of Burmaster vs US et al., since this pattern of racketeering denied the plaintiff his civil liberties, excluding scientific data from the court case, incriminating documents against the Republican US Department of Justice and excluding all industrial chemical engineers from testifying in US Federal courts. The co-defendants and co-conspirators in this case that aided and abetted this fraud are the entire psychiatric and psychological evaluation department in the US Department of Justice, the American Psychiatric Association and the pharmaceutical industry.

Unlike Rotella's case, the fraud continues, and court documents in my "criminal" case (US vs. Brian Burmaster) still state that I am "mentally ill", "mentally diseased", "mentally defective" and "incompetent to stand trial", meaning that the plaintiff's civil liberties rights are not protected by the US Constitution. The psychiatric approach to "mental illness", which is really just an amine chemistry problem-solving is fraudulent and a "junk science", and in defiance of the US Supreme Court case Daubert vs. Merrell Dow Pharmaceuticals. The chemical engineering approach to amine chemical problem-solving is in full compliance of this US Supreme Court Case and no one can argue that the engineering methodology to chemical dispensing and management is a "junk science", using our very technically advanced process systems. Thus, in accordance with the US Federal RICO laws (18 USC § 1962c) and the Clayton Act, any amount

that a jury recommends in the upcoming trial of Burmaster vs. US et. al. shall be trebled.

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

## APPENDIX E
## PRE-TRIAL MOTION
## REINSTATEMENT OF
## CIVIL RIGHTS

18 USC § 4241 through 18 USC § 4247 is unconstitutional and this matter must be decided by the Supreme Court of the United States of America.

"Mental illness" is a chemical disease but the methodology of the American Institute of Chemical Engineers must be employed, which minimizes any chemical (such as pharmaceutical drugs) exposure to humans. Specific measurable, reproducible and scientific chemical objectives should be used.

Per this document, in my chemical engineering estimation, 90-95% of the federal inmates housed in the psychiatric wards of the United States Federal Bureau of Prison are being denied fundamental human rights (such as trial by jury).

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

Since the plaintiff Brian Mark Burmaster is an ardent and vocal opponent of the fraudulent practices committed by American Psychiatry, as sanctioned by the American Medical Association, he is currently without many civil rights, as protected by the US Constitution (the document which begins "We the

people of the United States in order to form a more perfect union, establish justice . . . ). Specifically,

*1st Amendment*

Freedom of speech . . . redress of grievances (in my "criminal" trial, I along with other chemical engineers could not testify)

*5th Amendment*

nor be deprived of life, liberty or property (in my "criminal" trial, I was incarcerated for nearly two years without any access to my financial assets)

*6th Amendment*

Right to a speedy and public trial by an impartial jury (there was no trial in the US – only incarceration) and assistance of counsel (since Utah is heavily Republican, there were no lawyers there that would file my motions)

*8th Amendment*

Excessive bail shall not be required (I was imprisoned for nearly two years in Utah without any bail)

The apparent justification for these onerous human right violations (Can the US criticize other nations?) is the established medical/pharmaceutical cartel in the United States (highest medical costs and incarceration rates in the world) and their refusal to employ any objective scientific methodology, such as the chemical engineering approach to "mental illness".

In order to reinstate the plaintiff's civil rights, 18 USC § 4241 through 18 USC § 4247 are deemed unconstitutional and objective measurements, such as cognitive testing and the previously defined sanity index (DOCUMENT#1 of the Western Washington case on pages 2-3, for example) be used in its place. In my estimation, 90-95% of federal detainees are misclassified.

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

# APPENDIX F
# PRE-TRIAL MOTION
# RESTORATION OF
# VISITATION RIGHTS

The original St. Louis "Family" Court Order limiting Visitation Rights is the basis for this pro-se pre-trial motion.

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

Since the plaintiff Brian Mark Burmaster has been denied both custody and visitation rights to his youngest son, based on the false, fraudulent and destructive "junk science" of American Psychiatry, this US Federal Court overrules the decision of the St. Louis "Family" Court, where the divorce decree stated "Due to father's mental health history and non-compliance with medications, all periods of visitation shall be supervised by Michael Burmaster (my oldest son who lives in Cincinnati, Ohio)." My youngest son Joseph (age 15) lives in St. Louis.

This original ruling was predicated on the false, fraudulent, and destructive "junk science" of American Psychiatry. My adult "mental illness" can be attributed to exposure to heavy metals. As an industrial chemical engineer, working on a new developmental process (see US Patent# 5,851,265 and US Patent# 6,776,974) at a zinc smelter from July 1999

to February 2000, where the defendant suffered extreme psychoses, most likely from the heavy metal Cadmium, which is known to cause "mental illness". Cadmium represents the largest impurity in a zinc sulfide ore and would be expected to complex or "inhibit" with amines, as disclosed in multiple chemical engineering articles.

Unfortunately, American Psychiatry does not follow US Supreme Court decision Daubert vs. Merrell Dow Pharmaceutical and establish chemical causation, and the highly scientific Jurisprudence as advocated by the Distinguished Law Professor Richard Epstein at the University of Chicago in his recent book *Overdose: How Excessive Government Regulation Stifles Pharmaceutical Innovation*.

All pharmaceutical tort law reform advocates a highly technical approach based on the rigorous scientific method. The chemical engineering methodology to amine problem-solving is in total compliance of all these legal precedents, while American Psychiatry is in complete defiance, advocating a "chemical free for all" system, where sources of binding chemicals are not identified and effective remedies are never found. As Astra-Zeneca's advertisement for Seroquel (pharmaceutical product for bipolar illness) conveniently states "There is no cure". In the plaintiff's case, once heavy metals were identified using hair analysis, oral Chelation therapy was purchased by the Defendant, and the Defendant cured his own "mental illness", in accordance with amine problem-solving of the American Institute of Chemical Engineers.

Since the original St. Louis "Family" Court decision was predicated on fraudulent American Psychiatry (the basis of this civil lawsuit), this federal US Court has the jurisdiction to overturn that decision

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

## APPENDIX G
## PRE-TRIAL MOTION
## EXCLUSION OF
## MORMONS FROM JURY SERVICE

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

All the injustices in my "criminal" case (US vs. Brian Mark Burmaster) occurred in Utah. It is universally recognized that it is the only theocracy in the United States of America. In Defrietas vs. Horizon Management (case 2:06-CR926), even Judge Dee Benson stated correctly "The fact that the predominant religion in Utah is Mormon and this fact is not one subject to reasonable dispute." Approximately 60-70% of the population in the state of Utah claims to be members of the Church of Jesus Christ of Latter-day Saints (i.e. Mormons).

Per the USA discovery in my "criminal" case of US vs. Brian Burmaster (Pacer# 2:07-cr-00628-DB), the plaintiff contends that the members of the Church of Jesus Christ of Latter-day Saints are "devil worshippers", because they sided with the "criminal poisoning witch of an ex-wife", in my attempt to obtain a driver's license without psychiatric approval. I was then terminated illegally from my position as Vice President of Engineering at the Mormon-controlled Nevada Chemicals for religious reasons, in violation

of Federal EEOC (Equal Employment Opportunity Commission) laws. Officials in Utah firmly believe that their state's "Fire at Will" laws supersede any federal laws or even the US Constitution. There can be little argument that I was persecuted as a Roman Catholic by members of the Church of Jesus Christ of Latter-day Saints (Mormons). I believe that poisoning, cheating, lying and stealing are acts of Satan, while leaders in the Church of Jesus Christ of Latter-Day Saints apparently do not. Instead, they believe that such behavior is Christian.

Apparently, Mormons don't give the US Constitution much credence either, especially the passage: "to promote Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." There is little argument that I am the true inventor, and in the US, I naively believed that I should be rewarded monetarily.

Additionally, the sight of Mormons in their black mortician suits and bicycles make the plaintiff physically ill.

I am formally requesting that in the voir dire examination that each prospective juror be questioned about their religious affiliation. Anyone that states that they are a member of the Church of Jesus Christ of Latter-day Saints is prohibited from serving in the US Federal trial of Burmaster vs. US et al. Exclusion based on religious beliefs are permissible (see US vs. DeJesus), per the Third Circuit Court of Appeals

(Number 02-1394, 10/17/2003 also in the *Criminal Law Reporter* Volume 74 Number 5 page 67 BNA 10-29-2003).

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

## APPENDIX H

## PRE-TRIAL MOTION

## FINANCIAL AWARD BASIS

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

The plaintiff (Brian Mark Burmaster) clearly believes that the American currency (the US Dollar) will be devalued, since American Jurisprudence, Business and Medicine has consistently valued monetarily, fraudulent pharmaceutical research (see Zyprexa sales in Chemical Engineering Testimony) over constructive chemical engineering.

The United States is a net importer of oil, yet as shown by Document 37 in my "criminal" case (2:07-cr-00628-DB top of page 2) that constructive chemistry of finding alternate energy sources is valued at a low level. Ultimately, world markets will devalue the US Dollar. The plaintiff requests that the monetary award, which is at least one year away, be hedged at the current commodity values of either $70 per barrel of crude oil or $1,000 per troy ounce of gold. Thus, in one or two years if the financial award is $100 billion, and it is trebled to $300 billion; with severe devaluation and inflation, this may only purchase a couple bags of groceries. So, the plaintiff requests this court that the monetary award could be converted at current commodity pricing of US$70 per barrel of

benchmark Brent sweet crude or US$1,000 per troy ounce of gold.

Additionally, it is the objective of this plaintiff to acquire all Mormon-held chemical companies (such as Huntsman Chemical) and refineries (such as Sinclair Oil based in Salt Lake City, Utah), since Mormons have shown no commitment to the safety standards of the American Institute of Chemical Engineers.

Instead, the state government of Utah and the lower federal courts in Utah have consistently sided with the chemical "free for all" approach of the psychiatric and pharmaceutical industry, where there is no accountability and causation is not established. In order to protect the American public, this plaintiff who was incarcerated for nearly two years, citing that the safety standards of the American Institute of Chemical Engineers shall prevail, willingly refused a highly sedating and mind-altering anti-psychotic, his objective is given ownership of all Mormon-controlled chemical and oil and natural gas plants immediately.

For example, a Sinclair oil refinery is located in Tulsa, Oklahoma where my parents and the families of my two sisters live. I do not want to jeopardize their lives, simply because the Mormon owner, Earl Holden has no commitment for safety standards of the American Institute of Chemical Engineers. Similarly, the original dispute in Utah emanated with then former Utah Governor Jon Huntsman, Jr. (heir to Huntsman Chemical), who consistently sided with

American Psychiatry over American Chemical Engineering.

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

# APPENDIX I

## PRE-TRIAL MOTION

## LIMITATIONS ON PSYCHIATRIC TESTIMONY

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

Essentially, "mental illness" is an amine chemical problem, where foreign substances, such as heavy metals, can bind with these strong electron donors. The main "neuroamines" attributed to psychiatric disorders are serotonin and dopamine. Amines are organic nitrogen compounds with nitrogen having a valence state of -3. This pre-trial motion will limit all psychiatric and pharmaceutical "scientific" testimony to the problem of amine chemistry. The plaintiff will remind all psychiatrists and pharmaceutical "scientists" and executives that fraud, conspiracy and perjury are criminal offenses, punishable with each charge of five years. United States Marshalls fully equipped with handcuffs and leg braces will be ready to escort these malefactors and "Con-Air" them to maximum security facilities (23 hours in the cell and 1 hour in a caged environment). Medical fraud is costing the United States, somewhere in the neighborhood of 10 to 15% of GNP, making American manufactured goods non-competitive in world markets. The United States has the highest health care costs in the world, and it will get even worse with the aging of the Baby Boomers. Psychiatric fraud represents

the largest component, with sales of a minor anti-psychotic called Zyprexa, that I willingly refused, accounting for $40 billion in sales alone. Truly, these deeds are Acts of Treasons, which must be punished severely.

American psychiatrists and the pharmaceutical industry "scientists" and executives will comment on the standards, methodologies and protocols of the American Institute of Chemical Engineers and why that problem-solving technique of amine chemistry has not been employed in their industry.

These co-conspirators will be questioned on why chemical causation as mandated by the US Supreme Court case Daubert vs. Merrell Dow Pharmaceutical and other reforms in the pharmaceutical tort arena are largely ignored by the psychiatric profession/ industry.

Psychiatrists will be questioned on whether they believe that highly sedating chemical plant personnel by forced medication with mind-altering anti-psychotics is a good idea. These same chemical plant or refinery operators work with extremely toxic compounds, such as hydrogen sulfide or cyanide. The defendants or co-conspirators of this case will be questioned on whether any measurable and accountable objective goal, such as public safety (where chemical plants record every minor incident) is even taken seriously. Psychiatrists and pharmaceutical "scientists" and executives will be questioned on the chemical structure and chemical problem with any

"mental illness". These co-conspirators will be asked why chemical detection using analytical techniques are never employed in American Psychiatry.

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

# APPENDIX J
# PRE-TRIAL MOTION
# ALLOWING CHEMICAL ENGINEERS
# TO TESTIFY

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

Essentially, "mental illness" is an amine chemical problem, where foreign substances, such as heavy metals, can bind with these strong electron donors. The main "neuroamines" attributed to psychiatric disorders are serotonin and dopamine. Amines are organic nitrogen compounds with nitrogen having a valence state of -3. Chemical engineers are very familiar with this chemistry, since amines are used ubiquitously in crude oil refineries and natural gas plants to remove acidic species, primarily hydrogen sulfide and carbon dioxide. This pre-trial motion will allow the chemical engineering profession to testify in US Federal Courts, on their methodology used in problem-solving of amine chemistry. Chemical engineers will testify that rigorous scientific methods, using highly sophisticated process technology with the latest electronic proportional integral and derivative controllers to minimize perturbations in chemical dispensing. Statistical Process Control is used routinely in many chemical processes, and causation is firmly established. Chemical engineers use objective measurements in order to correct processes

which are "out of statistical boundaries" or control. Any engineer's primary concern is public safety, with minimization of exposure of any chemical to personnel being the utmost concern to the chemical engineering profession.

Chemical engineers will be allowed to testify that it is their obligation to identify the sources of toxic compounds, contain these poisonous chemicals and to ensure that these toxins are not dispensed into the public.

Chemical engineers will be allowed to testify that the psychiatric method of chemical management and dispensing would be disastrous if the standards, protocols and methodologies of the American Psychiatric Association had to be followed, which is the case with American Jurisprudence, where psychiatric testimony is given imminent legal authority, while the standards, protocols and methodologies of the American Institute of Chemical Engineers is currently ignored.

Finally, chemical engineers will testify that highly inflammatory and non-scientific terms, such as "psychotic", "bipolar", "schizophrenic", "schizoaffective" have no chemical meaning and no chemical solution. Chemical engineers will give the bailiff an industrially sized pipe wrench, as Exhibit "A", stating that these highly incendiary and non-technical terms are avoided in our workplace altogether.

The plaintiff respectfully submits this pre trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

---

## APPENDIX K

## PRE-TRIAL MOTION

## IMMEDIATE ARREST OF ENEMIES OF THE USA

This motion first appeared in the 9th Circuit Court of Appeals after the decision by the Social Security Administration of the US Government. It replaces a motion to remove 2 US Judges. Per Appendix O, the Social Security Administration of the United States Government has proven the appellant's case that American Psychiatry is completely fraudulent, by denying me disability insurance. According to "opinions" by the psychiatric staff at the Federal Medical Center in Butner, North Carolina, Brian Burmaster was so "mentally diseased", "mentally ill" and "mentally defective" that these American Medical Arts Practitioners urged the US Federal Court that he required seven different medications in order to restore "competency" (denying basic human rights of a jury trial).

Simply put, this is multi-national pharmaceutical and medical extortions, with suspension of any Rule of Law in the United States of America. Citing these numerous US Federal rulings, I am unemployable, homeless and severely "mentally ill" by these court documents, the Social Security Administration does not lend any credence to their own Medical Arts.

In the great, free and civilized country of Canada, where engineering and acts of construction are

rewarded, I am totally without medication and psychiatric "care".

This motion throws all these chemical fraud conspirators in federal Bureau of Prison maximum security. Unlike these evil malefactors, they will be awarded a jury trial. I certainly would like to hear their lame and effeminate arguments.

This motion is to instruct the Attorney General (Eric Holder) of the United States of America that the following persons are considered enemies of the United States of America and must be considered dangerous, since they are engaged in treasonous acts destroying this country. The Social Security Administration of the United States of America has sided with the Appellant's position and against the American Psychiatric Association that I do not suffer from a "mental illness", "mental disease" or "mental defect" and not entitled to disability income (per my application#36125154) This supports the Appellant's position that the disease is really an amine chemistry problem and the true protocols, methodologies and standards of the American Institute of Chemical Engineers shall prevail over the fraudulent approach of the American Psychiatric Association.

In order to restore the Rule of Law and the civil liberties guaranteed by the US Constitution, the following conspirators who are engaged in chemical fraud and are under immediate arrest and shipped to maximum security facilities under the supervision of the US Bureau of Prison. These malefactors are

identified in Exhibit B from the Seattle Federal Case, (Doc#E-1):

1) Dr. Hajesi of Salt Lake City, Utah who prescribed me Zyprexa

2) Dr. Stephen A. Szykula of Salt Lake City who issued a detailed report

3) Dr. Elisabeth Card of the Metropolitan Detention Center of Seattle who issued a detailed report

4) Dr. Ralph Ihle of the Metropolitan Detention Center of Los Angeles who signed Dr. Card's report

5) Dr. Bryon Herbel of the Federal Medical Center in Butner, North Carolina

6) US Federal Judge Paul Warner of Salt Lake City, Utah

7) US Federal Judge Dee Benson of Salt Lake City

Additionally, the appellant adds the name of Dr. Jean Zula of the Federal Medical Center in Butner, North Carolina since she is responsible to ensure the veracity and accuracy of any federal document leaving that medical center. The severity of this alleged disease required seven different involuntary prescriptions, according to the Federal Medical Center report (see exhibit B in the Seattle case Doc# C-25 to C-27). In the great, free and civilized country of Canada, I am not on any medication by psychiatric "care".

With the imminent warrant, arrest and incarceration of US Federal Judges Paul Warner and US Federal Judge Dee Benson of Salt Lake City, they will be removed immediately from their life-tenured high paying jobs. The motion that deals with their removal can be dismissed, since it will be moot. Per my sacred vow, once these two criminals are in the custody of the US Bureau of Prisons and private citizens, I will sue each one individually for all their real estate and financial possessions.

I have also added the names of all Executive management and Board of Directors for the first three pharmaceutical firms that must be sued into financial extinction and taught the valuable lesson that there is a Rule of Law that governs human civilization. Suspending it for temporary financial gain is an extremely bad idea. They need to spend some time in a maximum security facility and there they can write me on how they plan to be better citizens of the planet during their prolonged incarceration.

I requested a paltry monetary amount as compensation from these multi-national pharmaceutical firms which they were unwilling to send me.

The appellant prays that this motion imprisoning these criminals immediately and restoring the Rule of Law is granted.

*Criminal List – Abbott Laboratories – Board of Directors*

Robert J. Alpern, M.D.
Roxanne S. Austin
William M. Daley
W. James Farrell
H. Laurance Fuller
William A. Osborn
The Rt. Hon. Lord Owen CH
W. Ann Reynolds, Ph.D.
Roy S. Roberts
Samuel C. Scott III
William D. Smithburg
Glenn F. Tilton
Miles D. White

*Criminal List – Abbott Laboratories – Top Management*

Thomas C. Freyman
Richard W. Ashley
Olivier Bohuon
John M. Capek
Holger A. Leipmann
Edward L. Michael
Laura J. Schumacher
Carlos Alban
Thomas F. Chan
Stephen R. Fussell
Robert B. Hance
John C. Landgraf
John M. Leonard
Heather L. Mason
James V. Mazzo
Donald V. Patton
Mary T. Szela
Michael J. Warmuth
J. Scott White

*Criminal List – Astra-Zeneca – Board of Directors*

Louis Schweitzer
Hakan Mogren
David Brennan
Simon Lowth
John Patterson
Bo Angelin
John Buchanan
Jean-Phillipe Courtois
Jane Henney
Michele Hooper
Rudy Markham
Nancy Rothwell
John Varley
Marcus Wallenberg

*Criminal List – Astra-Zeneca – Top Management*

Tony Zook
David Smith
Bruno Angelici
Lynn Tetrault
Jan Lundberg
Anders Ekblom
Jeffrey Pott

*Criminal List – Eli Lilly – The Board of Directors*

John C. Lechleiter
Ralph Alvarez
Winfried Bischoff
Michael L. Eskew
Martin S. Feldstein
J. Erik Fyrwald

Alfred G. Gilman
R. David Hoover
Karen N. Horn
Ellen R. Marram
Douglas R. Oberhelman
Rudy Markham
Franklyn G. Prendergast
Kathi P. Seifert

*Criminal List – Eli Lilly – Top Management*

E. Paul Ahern, Ph.D.
Robert A. Armitage
Robert W. Armstrong, Ph.D.
Alex M. Azar II
Karim Bitar
Thomas F. Bumol, Ph.D.
Bryce D. Carmine
William W. Chin, M.D.
Enrique Conterno
Newton F. Crenshaw
Maria Crowe
Andrew M. Dahlem, Ph.D.
Frank M. Deane, Ph.D.
Alecia A. DeCoudreaux

*Criminal List – Eli Lilly – Top Management*

Johanna Carmel Egan, Ph.D.
Timothy J. Garnett, M.D.
Thomas W. Grein
William F. Heath Jr., Ph.D.
Michael C. Heim
John H. Johnson
Peter J. Johnson

Elizabeth H. Klimes
Susan Mahony, Ph.D.
Patricia Martin
W. Darin Moody
Anne Nobles
Elizabeth G. O'Farrell
Steven M. Paul, M.D.
Bart Peterson
Derica W. Rice
Gino Santini
Jeffrey Simmons
Sharon L. Sullivan
Jacques Tapiero
Thomas Verhoeven, Ph.D.
Fionnuala Walsh, Ph.D.
James A. Ward
Andreas Witzel, Ph.D.
Alfonso Zulueta

## APPENDIX L
## PRE-TRIAL MOTION
## INSTRUCTIONS TO
## TAX AUTHORITIES

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

This motion is to instruct the Internal Revenue Service, which reports to the United States Government that the appellant was illegally incarcerated in his "criminal" case (US vs. Brian Burmaster: Web Pacer ID = 2:07-cr-00628-DB) from 2007 September 19 to his release on 2009 July 22. As a detainee who was stripped of all his fundamental civil rights, including access to his financial records and being bounced from US Bureau of Prisons facility to different locations. During that time, the appellant was essentially arguing with the fraudulent American psychiatric profession that it is not a good idea to prescribe someone who works at a chemical plant or refinery with highly profitable and mind-altering and heavily sedating anti-psychotics just because you disagree with the definition of chemical fraud.

In a recent letter, the Utah State Tax Commission dated 13 November 2009 is requesting payment for $106.55 for penalties and interests, associated during the period of the illegal imprisonment and complete deprivation of civil rights. Additionally, the plaintiff

never established residency in Utah, since he was never granted a driver license in that state. The reason for that denial is that the entire state government of Utah and the US Federal Courts of Utah has been consistent with their belief that the American Psychiatric profession is the final arbiter of the chemical disease known as "mental illness". Chemical engineers are not allowed to testify on how they solve amine chemistry problems.

Similarly in a notice dated 30 December 2009, the Missouri Department of Revenue filed a tax assessment against the Appellant for the amount of $748.52 for late fees, penalties and interests during the period of his illegal incarceration in the federal "criminal" case of US vs. Brian Burmaster, where the appellant was trying to determine the source of heavy metal toxins, which were in the possession of what one divorce lawyer described as "guys you don't want to mess with".

All late fees, penalties and interests during the period of illegal incarceration by the appellant are hereby waived by the United States Supreme Court. The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

## APPENDIX M

## PRE-TRIAL MOTION

## CORRECT LIBELOUS INFORMATION

## BY US BUREAU OF PRISONS

This motion appears in the peaceful civil lawsuit in the Western Washington Federal Court (case#09-CV-01384-JGM), which was denied by that court and the 9th Circuit Court of Appeals in San Francisco.

This motion is to correct the libelous information by the US Government Federal Bureau of Prisons (see Internet site: www.fbop.gov):

| Name | Register # | Age – Race – Sex |
|---|---|---|
| 1. BRIAN MARK BURMASTER | 14902-081 | 53 – White – M |

| Release Date Actual or Projected | Location |
|---|---|
| UNKNOWN | NOT IN BOP CUSTODY |

My release date was 2009 July 22 per court documents in my "criminal" case, where I was trying to identify the source of toxic heavy metal chemicals, as required by my profession of chemical engineering and this needs to be corrected. As far as "location" information, the plaintiff would like the following information to replace "NOT IN BOP CUSTODY" with

"Seattle – Suing for $1.5 Trillion". Thus, the US Government site should read:

| Name | Register # | Age – Race – Sex |
|---|---|---|
| 1. BRIAN MARK BURMASTER | 14902-081 | 53 – White – M |

| Release Date Actual or Projected | Location |
|---|---|
| 22 July 2009 | Seattle – Suing for $1.5 Trillion |

These two corrections with the actual release date and my current location ("severely mentally ill", homeless and unemployable with only a Post Office Box in Seattle) are desired by the appellant to accurately reflect the information that the US Government should use concerning my official status within the United States.

Any other information is libel.

The plaintiff respectfully submits this pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

# APPENDIX N
# PRE-TRIAL MOTION
# PUBLIC EDUCATION OF
# CHEMICAL SAFETY

This pre-trial motion first appeared in the 9th Circuit Court of Appeals, since I found many people who are totally unfamiliar with my chosen profession of chemical engineering.

This peaceful pre-trial motion was denied by the 9th Circuit Court of Appeals.

This motion is intended to educate both the public and prospective jurists on chemical safety and the duties of chemical engineer at toxic chemical plants and refineries. The public at large is unfamiliar with the responsibilities of the chemical engineering profession and its complete dedication to public safety. Unlike the medical arts practitioners who openly and actively engage in chemical fraud, thus necessitating their constant testimonies in the courtroom, in medical malpractice lawsuits, chemical engineers rarely appear in the courtroom. The reason that chemical engineers are rarely seen in courts is that they are not engaged in fraud. The standards, protocols and methodologies of the American Institute of Chemical Institute are based on science with public safety being the primary concern and not a medical vendetta goon squad. Thus, there are very few legal cases referencing the chemical engineering profession, nor

media attention, television shows and motion pictures, unlike the medical arts profession.

To familiarize the prospective jury with chemical engineering and its dedication to public safety, the following documentaries centering on the Bhopal India accidental chemical release will be shown at the trial of Burmaster vs. United States of America, et al . . .

1. British Broadcasting Company (BBC) News Documentary on the Bhopal India industrial accident

2. Recent Comedy-Documentary entitled "Yes Men Fix The World"

This appellant has cited this tragedy in his "criminal" case numerous times:

1. Utah Federal Case#2:07-cr-00628-DB Doc#48 page 6

2. 10th Appellate Court: Case#9-4098 Doc#1018089925 page 4

Other documentaries may be added to educate the public on the importance of chemical engineering standards in the dispensing and management of chemicals, especially with reference to the Bhopal, India accidental chemical tragedy where approximately 5,000 deaths occurred and nearly 150,000 people were chemically maimed for life.

The judicial concept of a "chemical free-for-all" as advocated by the lower courts is truly horrific and

must be overturned. The plaintiff respectfully submits this peaceful pre-trial motion and humbly prays that the United States Supreme Court grants this pre-trial motion.

# APPENDIX O

# COMMUNICATIONS WITH SOCIAL SECURITY ADMINISTRATION OF THE US GOVERNMENT

By denying me social security disability insurance, the United States Government lends no credence at all to the lower court US Federal Judges (specifically Dee Benson and Paul Warner), the psychiatric staff at the Federal Medical Center of Butner, North Carolina and the entire multi-national pharmaceutical cartel's approach to amine chemical problem-solving. The Social Security Administration of the US Government sided with reason, logic and the chemical engineering approach.

All of them, including the pharmaceutical gangsters can contemplate the implications of their criminal fraud in a maximum security facility (23 hours in their cell and 1 hour in a caged environment), which was my experience when I resided at the Federal Transfer Center in Oklahoma City, Oklahoma, awaiting to be "Con-Aired" in order to argue with psychiatric goons, explaining to these medical thugs that it is an extremely bad idea to heavily sedate chemical and refinery workers with highly profitable and powerful anti-psychotics.

Better them than me. I believe in the Rule of Law, the US Constitution, chemical safety and rewarding hard work. They certainly do not. They benefit monetarily from chemical fraud.

*Letter to Don Schoening dated 16 November 2009*

Brian M. Burmaster
16 November 2009

Don Schoening
Social Security Commissioner
675 South Lane Suite #401
Seattle, WA 98014

Dear Mr. Schoening:

You are in the unenviable position of deciding whether to accept American Psychiatric Association and US Federal Court findings stating that I am "mentally ill", "mentally defective", "mentally diseased" and "incompetent to stand trial" in my "criminal" case of US vs. Brian Burmaster (Web Pacer ID = 2:07-cr-00628-db). Specifically, I am enclosing the following documents which were approved by US Federal Judges Paul Warner and Dee Benson, which included:

1) Document 35
2) Document 43
3) Document 64

Essentially, you, as an American Federal Government bureaucrat must decide whether to believe the American Psychiatric Association and Federal Court judicial ruling affirming that I am severely mentally ill and as such, unemployable and homeless in the United States of America.

All these statements are true, since I only have a PO Box here in Seattle. My own mental illness can be

attributed to exposures to heavy metals, while I was employed as a chemical engineer. I am submitting the first four pages of my US Federal civil counter lawsuit (Brian Burmaster vs US, American Psychiatric Association, Abbott Laboratories, AstraZeneca and Eli Lily – Web Pacer ID = 2:07-cv-01384-JCC) to show you the chemical truth of "mental illness". In the USA, Brian Burmaster has been deemed severely mentally ill by the following:

1) Dr. Hajesi of Salt Lake City, Utah who prescribed me Zyprexa

2) Dr. Stephen A. Szykula of Salt Lake City who issued a detailed report

3) Dr. Elisabeth Card of the Metropolitan Detention Center of Seattle who issued a detailed report

4) Dr. Ralph Ihle of the Metropolitan Detention Center of Los Angeles who signed Dr. Card's report

5) Dr. Bryon Herbel of the Federal Medical Center in Butner, North Carolina

6) US Federal Judge Paul Warner of Salt Lake City

7) US Federal Judge Dee Benson of Salt Lake City

According to American medical and judicial standards, this "illness" has persisted for some time (9+ years), with no pharmaceutical remedy to alleviate this condition.

However, the reality is that other developed countries, with much lower health care costs (20% of GNP in USA versus 6-7% in other countries) do not allow their medical arts practitioners to run unabated, committing fraud unaccountably and destroying their nation's economy. I have gained employment in Canada, where I have a two year contract as a chemical engineer in nearby Vancouver, British Columbia.

You must decide whether to grant Social Security Disability Benefits (affirming the American Psychiatric Association, US Federal Judges and US Department of Justice findings) or deny Social Security Disability Benefits (my position that is fraud in the countersuit). Any decision by your office will be entered into the court docket of my US Federal case.

Very Truly Yours,

Brian M. Burmaster

*Letter to Linda McMahon dated 10 January 2010*

Brian M. Burmaster
10 January 2010

Linda S. McMahon
Social Security Deputy Commissioner
675 South Lane Suite #401
Seattle, WA 98014-2942

Dear Ms. McMahon

I am in receipt of your letter dated 21 December 2009 which is attached to this letter. There is no record in my Bell Canada phone accoun[illegible] f any call being made

to the Seattle area either on 21 December 2009 or any phone call to the United States of America on that day. Therefore, your statements "On December 21, 2009, we talked with you about your eligibility for Supplemental Security Insurance (SSI) . . . You told us you do not want to file a claim for SSI." is not verifiable.

In reality, I went online to www.socialsecurity.gov as I was instructed, and the application number is 36125154. There was no payment into my USBancorp account, and per your letter, I was denied. The reality is that I left the USA, since my profession of chemical engineering is not allowed to testify in US Federal Courts. With the American medical goon society in control, the United States Constitution has been suspended and engineers can be incarcerated for indeterminable lengths of time. There is no Rule of Law here in this country.

I left for Canada, where I hope to become a citizen of that great country, where engineering and constructive chemistry is appreciated and rewarded. I work and reside in Vancouver, British Columbia, but still live in the USA under the American judicial decree that I am "mentally ill", "mentally diseased", "mentally defective" and "incompetent to stand trial".

However, with the denial of social security disability by your office here in Seattle, I have authored a motion to the 9th Circuit Court of Appeals (see attachment) demanding the immediate arrest of two US Federal Judges, several US Department of Justice

officials and private psychiatrists and psychologists. Naturally, you have sided with me (reason, logic, Rule of Law and believing in the US Constitution) and against these fraudulent medical malefactors and corrupt US Federal Judges.

For this ruling (denying me SSI benefits), I am truly grateful. I will be completely elated when I see the names of US Federal Judges Dee Benson and Paul Warner of Utah added to the US Federal Bureau of Prison inmate listing. At the point when these two US Federal Judges enter their maximum security facility, Justice Will Be Finally Served.

Very Truly Yours,

Brian M. Burmaster

## APPENDIX P
## COMMUNICATION WITH
## CATHERINE HANAWAY
## CHIEF PROSECUTING ATTORNEY
## EIGHTH CIRCUIT US FEDERAL COURT

This communication to the Chief Prosecuting Attorney for the Eighth Circuit located in St. Louis, MO is typical of my letter-writing campaign, trying to identify the source of toxic heavy metals which entered the blood supply of the American Red Cross, when I unknowingly donated blood tainted with poisonous and harmful chemicals.

The intent of this letter was to attain a state of bliss never experienced previously with my ex-wife – my dangling the jailhouse keys in front of her eyes.

It would never happen.

Instead, the chemistry of destruction and pharmaceutical fraud is rewarded financially at the highest level. To this very day in the USA.

I do not blame her, since through no fault of her own, she is missing a Y chromosome. During my two years of incarcerated life in the USA, she has raised my sons very well, when my only contact was the Sunday night phone call from Utah County jails or federal BOP facilities.

I would surely love to find out from Clyde Farris who "these guys" (or a better term is "girlie men") are.

14455 Willow Bend Park
Town & Country, MO 63017
January 6, 2006
Epiphany of Our Lord Day

Catherine L. Hanaway
United States Attorney
Department of Justice
Thomas F. Eagleton US Courthouse
111 South 10th Street
20th Floor
St. Louis, MO 63102

Dear Ms. Hanaway:

As you know, St. Louis is ranked #1 city for crime in the US. From my experience with the St. Louis County civil court and local police authorities, there is a vast network of organized crime syndicate (Mafia) in St. Louis. Working together, we can eradicate this odious element from our metropolitan area.

I am a chemical engineer, who was poisoned by my ex-wife (Martha Burmaster). I have transmitted the scientific data (hair analysis) and blood pressure data to three different local police departments and the St. Louis FBI:

1. Chesterfield Police Department
2. St. Louis County Police Department
3. Clayton Police Department

The data has a statistical significance of >99.9% that toxic heavy metals entered my body. At the time, I received the first hair analysis; Martha admitted to

the poisoning and asked the question "How did you know?" I told her that she was playing in my sandbox (my knowledge of chemistry).

Shortly, after showing Martha the chemical analysis, she filed for divorce in the St. Louis County "Family" Court. I thought that upon bringing this data to the local police, she would soon be incarcerated. Instead, she was smug that her connections with the local Mafia would prevail in both criminal and civil proceedings. Currently, she is correct in her beliefs. In the civil divorce case, an unknown judge awarded her everything that she wanted, including total custody of my three sons, whom I raised, while she traveled with her job.

The poisoning data was suppressed from that court room. My first divorce attorney Clyde Farris told me specifically not to present the hair analysis results, because in his words "You do not want to mess with those guys." Clyde must have been referencing the local Mafia.

Frankly, I want to confront these pansies face-to-face in the courtroom and present them with pink tutus to wear at the trial. Only cowards use poisons. My belief in the principles of truth and justice outweigh any fear from these wimps. To restore justice in St. Louis, I want to be the first victim to sue the Mafia under the 1970 Racketeer Influenced and Corrupt Organizations (RICO) Act – Section 1964. As a first measure, we pursue a lawsuit against Clyde Farris for treble damages, amounting to $2[illegible],472.68. Next, we find out

from Clyde, who "these guys are" and we pursue criminal charges against them and my ex-wife

Obviously, I need assistance from the US Department of Justice in order to prosecute this case and expose the vast organized criminal network in St. Louis. It is apparent that this criminal case extends beyond one crooked lawyer but three local police departments, as well.

My intent is to restore truth, justice, law and order to St. Louis.

Catherine, I need your help in this matter and I do not fear this cowardly Mafia.

Sincerely,

Brian Burmaster

cc: St. Louis Mafia
c/o Charlie Gitto's on the Hill
Tommy LaSorda Room
5226 Shaw Avenue Street
St. Louis, MO 63110